

**REMARKS**

Claims 1-19 and 23 are pending.

Claims 1-19 and 23 are rejected.

Claims 20-22 are canceled.

Claim 1 is amended to claim the additional element of having a “take” as being part of the metadata that is shown as part of the slate. Specifically, a take number shown is representative of a shot in a series of shots of a same scene. That is, the take number is one of these shots of the same scene. Claim 12 is amended in a similar manner. Support for this claim element is found in the specification on page 6, lines 11-14, and in other places.

Claim 2 and 4-8 are amended to claim a “video” slate as to be consistent with the amendments made to Claim 1.

Claim 23 is amended to claim that the claimed shot is watermarked by changing what metadata is displayed and how long such metadata is displayed for each shot taken. Support for this amendment is found in the specification on page 11, line 8 to page 12, line 9, and in other places.

No new matter was added in view of these amendments.

**Rejection of Claims 20 and 21 under 35 U.S.C. 101**

The Examiner rejected Claims 20 and 21 under 35 U.S.C. 101 as being non-statutory subject matter.

This rejection is now moot in that the Applicants have canceled such claims.

Applicants request that the Examiner remove this rejection.

**Rejection of Claims 1-19 and 23 under 35 U.S.C. 102(e)**

The Examiner rejected Claims 1-19 and 23 under 35 U.S.C. 102(e) as being anticipated by Lee (U.S. Patent Application No. 2002/0073422). Applicants disagree with this ground of rejection.

As amended, Claim 1 now claims an element of having a “take number” which “corresponds to the order of said video asset in said series of shots” where such shots are from the same scene. This claimed “take number” is neither disclosed nor suggested in Lee. Specifically, Lee discloses an invention which will take program guide information from a television show that is to be recorded and creates a title screen from such program guide information as seen in Figs. 3, 5, 9, 11 and 12 of Lee. None of the displayed information of Lee would represent a “take number” in that most (if not all of the information) used in Lee is either from electronic program guide information from a broadcasted television show (114-119) or from the recording device’s own clock (111), see Lee paragraph 0035.

Claim 23 claims that the watermark used uses “metadata that is shown for a respective take and a time duration of displayed metadata is modified from take to take”. The Lee reference does not show such a variance of what metadata is shown and for how long such metadata will be shown as to produce “watermarked” video where the metadata shown and time where such metadata is shown varies from take to take. That is, Lee only identifies what a piece of video is by using information (SP 20:37 7 15 15:00 2:00) which is not specifically modified from video to video for the purposes of producing a watermark. That is, the displayed information of Lee is not varied in terms of what is displayed, or for how long such information is displayed, as to produce a watermark as in Claim 23.

The present invention provides an easy way to keep track of a series of shots where each shot would be a “take” for a particular scene. In contrast, Lee is concerned about the recording of a broadcasted television show, where the information from the program guide is used to list what the recorded show is. Presumably, the recorded shows in Lee are broadcast shows that are not representative of a sequence of shots of the same scene (as in Claim 1). Applicants submit that the reference does not disclose or suggest these concepts of a “take”, as claimed in Claim 1 (and in independent Claim 12).

For the reasons given above for Claim 1, 12 and 23, Applicants request that the Examiner remove the rejection to these claims. In addition, the Applicants request that the Examiner remove the rejection to Claims 1-11 and 13-19, as such claims depend on allowable Claims 1 and 12, as well.

Having fully addressed the Examiner’s rejections, it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant’s attorney at the phone number below, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Respectfully submitted,  
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